

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce

Funding Opportunity Title: Great Lakes Areas of Concern Land Acquisition Grants

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCRM-2011-2002844

Catalog of Federal Domestic Assistance (CFDA) Number: 11.463, Habitat Conservation

Dates: Proposals must be submitted to and received by NOAA no later than 6:00 p.m. EST, February 7, 2011. Proposals should be submitted via Grants.gov. Please note that it may take Grants.gov up to two (2) business days to validate or reject an application. Please keep this in mind when developing your submission timeline; do not wait until the last day to submit a proposal. If Internet access is not available, paper copy applications will be accepted in the form of one original (signed) and one electronic copy on CD and should be mailed to Elizabeth Mountz, NOAA, 1305 East-West Highway, SSMC4, N/ORM3, 11206, Silver Spring, MD 20910 (same deadline applies). No facsimile or electronic mail applications will be accepted. Proposals received after the submission deadline will not be reviewed or considered.

Funding Opportunity Description: The purpose of this document is to advise eligible coastal states and project partners that NOAA's Office of Ocean and Coastal Resource Management is soliciting proposals for competitive funding available for land acquisition in U.S. Great Lakes Areas of Concern (<http://www.epa.gov/glnpo/aoc/>) under the Great Lakes Restoration Initiative as anticipated in the President's FY2011 Budget. Applications should be submitted for any project that is to be considered for this funding, even for those projects already submitted as applications to other NOAA competitions. Applications selected for funding through this solicitation will be implemented through a grant, with awards dependent upon the amount of funds made available to NOAA for this purpose throughout the Great Lakes Restoration Initiative administered by the U.S. Environmental Protection Agency. NOAA anticipates that approximately \$1.9 million may be available for Great Lakes Area of Concern land acquisition projects; typical awards are expected to range between \$100,000 to \$1.9 million. Funding is contingent upon the availability of FY 2011 Federal appropriations for the Great Lakes Restoration Initiative. Funds will be administered by NOAA's Office of Ocean and Coastal Resource Management in partnership with the federally approved Great Lakes State Coastal Zone Management Programs.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The principal objective of these NOAA Great Lakes Area of Concern Land Acquisition Grants is to provide federal financial and technical assistance to land acquisition projects (fee simple interest or conservation easements) projects within the U.S. Great Lakes Areas of Concern and their associated watersheds that meet NOAA's mission to protect and restore coastal habitats and that support the Great Lakes Regional Collaboration Strategy (<http://glrc.us/strategy.html>) and the Great Lakes Restoration Initiative Action Plan. These projects should be 'ready-to-go' and likely to be completed within 18 months from the start date of the award (anticipated between June 1, 2012 and October 1, 2012) and be held in perpetuity.

The designated lead agency for implementing each approved coastal zone management program may solicit proposals from local governments as defined at 15 CFR 24.3, or entities eligible for assistance under section 306A(e) of the Coastal Zone Management Act (CZMA) (16 U.S.C. 1455a(e)), defined below, provided that each agency or entity has the authority to acquire and manage land for conservation purposes. The Illinois Department of Natural Resources may solicit and submit proposals benefiting the Waukegan Harbor Area of Concern.

Successful applications will be those that (1) contribute to the delisting of fish and wildlife habitat -related beneficial use impairments (BUIs) in Great Lakes Areas of Concern; (2) yield significant ecological benefits; (3) can be acquired within the award period; and (4) document community benefits such as improved opportunities for recreation, park use, open space, or other tangible community benefits.

B. Program Priorities

NOAA seeks to support projects that will result in protection of Great Lakes coastal habitat, as well as support future habitat restoration efforts. The program priorities for this opportunity support NOAA's "Ecosystems" mission goal of "Protect, Restore, and Manage Use of Coastal and Ocean Resources through Ecosystem-Based Management."

Projects must be within a U.S. Great Lakes Area of Concern or its associated watershed and contribute to the removal of either project-based delisting targets or numeric delisting targets for fish and wildlife habitat related beneficial use impairments (degradation of fish and wildlife habitat, loss of fish and wildlife habitat, and degradation of benthos) as described in the target AOC's Remedial Action Plan. Additionally, the project must be

endorsed by the Remedial Action Plan (RAP) implementation group (defined as the state agency responsible for implementing the AOC program or the local public stakeholder group working with the state agency on implementing the RAP) to achieve delisting of either individual beneficial use impairments or the entire AOC.

Projects should be ready-to-go and likely to be completed within the initial 18 month project period. All properties or interests in properties should be acquired from willing sellers. This grant competition is intended to support the acquisition of ecologically significant coastal habitats, as well as areas in need of habitat restoration activities, within AOC boundaries and their associated watersheds. Please note that this grant competition is not intended to support the acquisition of highly contaminated sites or other properties where uncertain effects or effects involving unique or unknown risks would trigger extensive NEPA review.

Priority consideration will be provided to those project proposals that:

- Work towards achieving measurable gains in identified delisting targets and that document how the project activities will lead to delisting fish and wildlife habitat-related beneficial use impairments (including loss of fish and wildlife populations, degradation of fish and wildlife habitat, and degradation of benthos) in Areas of Concern (<http://www.epa.gov/glnpo/aoc/>)
- Identify the project as an Area of Concern priority based on specific restoration planning goals, publicly vetted plans, or other priority setting planning documents (e.g. State II RAP documents) with appropriate ecological performance metrics and measures
- Can be completed within 18 months as evidenced by having appropriate due diligence documentation such as appraisals and phase I environmental assessments
- If habitat restoration is needed, provide an overview of the long-term restoration plans for the site.

C. Program Authority

The Secretary of Commerce is authorized under the following statutes to provide grants and cooperative agreements for land acquisition:

- Fish and Wildlife Coordination Act 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970;
- Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq.;
- The Coastal and Estuarine Land Conservation Program (16 U.S.C. 1451-1).

II. Award Information

A. Funding Availability

NOAA anticipates that approximately \$1.9 million may be available through the Great Lakes Restoration Initiative for land acquisition projects within Great Lakes Areas of Concern. Typical awards for land acquisition are expected to range between \$100,000 and \$1.9 million. Funding is contingent upon the availability of FY 2011 Federal appropriations. There is no guarantee that sufficient funds will be available to make awards for all applications. The number of awards to be made as a result of this solicitation will depend on the number of eligible applications received, the amount of funds requested for projects by the applicants, the merit and ranking of the applications, and the amount of funds made available.

Applicants may include multiple parcels in a project proposal if the parcels are related; however, please note that NOAA will evaluate project readiness and feasibility for completion within the required 18 month timeframe. For such projects, NOAA recommends that applicants limit the scope to acquiring no more than five separate parcels.

The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA representatives. Publication of this document does not obligate NOAA to award any specific project or obligate all or any parts of any available funds.

B. Project/Award Period

The standard financial assistance award period is 18 months. Project proposals should include a timeline with discrete benchmarks for completing the project within this award period. NOAA will evaluate project readiness and feasibility for completion within this timeframe. For FY 2011, projects should assume a start date between June 1, 2011 and October 1, 2011. NOAA has the authority to extend an award by an additional 18 months, for a maximum performance period of three years, if circumstances warrant, such as unforeseen circumstances that prevent the project from being completed within the original award period. In order to qualify for an extension, grant recipients must be in good standing (i.e., up-to-date on all progress and financial reports), demonstrate progress during the initial award period, and be able to demonstrate that additional time is likely to result in successful completion of the project.

C. Type of Funding Instrument

Projects will be funded as grants.

III. Eligibility Information

A. Eligible Applicants

Only Great Lakes States are eligible to participate in the FY2011 AOC Land Acquisition competition. The designated lead agency for implementing each approved state Coastal Zone Management (CZM) program may solicit proposals for this competition. For Illinois projects, the Illinois Department of Natural Resources may solicit proposals for this competition. The CZM Lead Agency (or the Illinois Department of Natural Resources) may solicit proposals from local governments as defined at 15 CFR 24.3, or entities eligible for assistance under section 306A(e) of the Coastal Zone Management Act (CZMA) (16 U.S.C. 1455a(e)), defined below, provided that each agency or entity has the authority to acquire and manage land for conservation purposes. As defined at 15 CFR 24.3, local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government. Under section 306A(e) of the CZMA, an eligible entity may be a local government, an areawide agency designated under Chapter 41, Subchapter II, Section 3334 of Title 42, a regional agency, or an interstate agency.

B. Cost Sharing or Matching Requirement

There is no statutory matching requirement for this funding. NOAA typically leverages its federal funding with matching contributions and/or partnerships from a broad range of sources in the public and private sector to implement locally important coastal habitat restoration. To this end, applicants are encouraged to demonstrate a 1:1 non-federal match for land acquisition funds requested to conduct the proposed project. Applicants with less than 1:1 match will not be disqualified, however, applicants should note that cost sharing is an element considered in Evaluation Criterion #4 "Project Costs" (Section V.A.4.). Non-federal matching funds may be derived from state, local, non-governmental or private sources in the form of cash or in-kind contributions. Applicants are permitted to combine contributions from non-federal partners, as long as such contributions are not being used to match any other federal funds and are available within the project period stated in the application. Federal sources cannot be considered for matching funds, but can be described in the budget narrative to demonstrate additional leverage. Applicants whose proposals are selected for funding will be bound by the percentage of cost sharing reflected in the award document signed by the NOAA Grants Officer.

Non-federal matching funds may be derived from in-kind contributions of conservation lands or services associated with acquiring such lands. In-kind contributions may include:

- Other properties acquired by the grant recipient during the period of the grant award. These properties must meet the eligibility criteria and ownership and stewardship conditions required by this funding competition. Please note that NOAA will not accept 'banked match' for the purposes of the Great Lakes AOC Land Acquisition competition; The Great Lakes AOC Land Acquisition Grant Program will also not accept as match the value of lands held by parties other than the project applicant (i.e. third party match). These match restrictions differ from the eligible match allowed under NOAA's CELCP program.

- Donated land value (i.e., a 'bargain sale' of a property to the grant recipient in cases where the purchase price is less than full appraised value and the seller intends to contribute the difference in value to the project).

- In-kind services such as land management planning, on-site remediation, restoration, enhancement (including donated labor and supplies) for properties to be acquired with AOC Land Acquisition funds are eligible if the expenses are incurred within the award performance period.

- Costs associated with acquisition of lands or easements proposed for acquisition or use as in-kind match, (e.g. direct acquisition-related expenses such as title, appraisal, survey, etc.), may be used as non-federal match if expenses are incurred within the period of the grant award. Please note that this timing differs slightly from that allowed under NOAA's CELCP program.

- Direct and indirect costs for administering the grant award can be included as match, but must be incurred within the grant period. Please see section C. 1. Eligible projects and uses of AOC Land Acquisition Funds, for more details.

For the purposes of the AOC Land Acquisition Grant program, match will be valued at the time that the recipient acquires the match property. Please note that this differs from the requirements of NOAA's Coastal and Estuarine Land Conservation Program.

C. Other Criteria that Affect Eligibility

1. Eligible projects and uses of AOC Land Acquisition Funds

The AOC Land Acquisition Grant Program provides support for acquisition of fee simple interests in lands or conservation easements from willing sellers, provided the terms and conditions will ensure that the property will be administered for conservation in perpetuity. Projects must be a U.S. Great Lakes Area of Concern or associated watershed and contribute to the delisting of fish and wildlife habitat-related beneficial use impairments.

Projects seeking funds for implementing on-the-ground habitat restoration projects or restoration design and engineering will also not be considered under this solicitation. However, NOAA anticipates a separate solicitation for projects requesting funds for shovel-ready restoration projects in the Great Lakes through the Great Lakes Habitat Restoration Program.

Applicants should also note that the following activities will not be considered:

- Activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state or federal law;
- Activities that constitute restoration for natural resource damages under federal, state or local law; and
- Activities that are required by a separate consent decree, court order, statute or regulation.

AOC Land Acquisition funds (i.e., the Federal share) may be used for:

- Acquisition of properties or interests in properties (conservation easements) from willing sellers, including direct expenses relating to the acquisition of lands costs to be paid from the federal share must be documented and expended within the grant award period. Applicants may include multiple parcels in a project proposal; however, please note that NOAA will evaluate project readiness and feasibility for completion within the required 18 month timeframe. For projects that propose to acquire more than one property, NOAA recommends that applicants limit the scope to acquiring no more than five separate parcels (including parcels that would be acquired directly with federal funds as well as those that would be counted as in-kind match). Properties containing multiple parcels covered under a single appraisal, title report and survey plat could count as one parcel (e.g., a subdivided property with the same landowner). To warrant consideration as a single project, parcels must be located in the same vicinity, be substantially related in terms of conservation values, or have other direct physical or strategic connection (for example, acquiring multiple properties that will be assembled into a single greenway).

- Direct and indirect costs for administering the grant award. Note that administrative costs may be included in the federal share, the match share, or a combination thereof, but the total amount allocated for costs of this nature may not exceed the value of five percent of the federal share (e.g., a proposal requesting \$1 million in federal funds may include

a maximum of \$50,000 for administrative costs in the budget). Whether included in the federal share or the match share, such costs must be incurred within the grant award period. Direct and indirect costs may include time spent by staff for project planning, implementation, and review, as well as costs for certain initial land stewardship activities, such as signage, public safety, or other stewardship purposes. Expenses such as appraisals, surveys, title opinions, and other transaction costs, are considered acquisition costs and do not count toward the five percent limit. If an application includes indirect costs, the amount must be based on the indirect cost rate negotiated and approved by the applicant's cognizant federal agency. NOAA may require applicants to submit a copy of their indirect cost rate agreement.

Allowable grant costs are limited to costs necessary and reasonable to achieve the approved objectives of a grant and must be consistent with general cost principles for grants awarded by federal agencies, as contained in the Office of Management and Budget (OMB) Circular A-87 "Cost Principles for State, Local, and Indian Tribal Governments." A copy of OMB Circular A-87 (and A-122, referenced later in this notice) can be found at http://www.whitehouse.gov/omb/grants/grants_circulars.html.

The negotiated price of the property or conservation easement should be based on the fair market value as established by a complete and self-contained appraisal prepared by an independent state-approved appraiser. Appraisals must reflect nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition (the 'Yellow Book'). If an appraisal has not been completed at the time a project proposal is submitted, the applicant may propose a good-faith estimate of the cost for the project based on market value or agreement with the willing seller. However, if the project is selected for funding, an appraisal will be required before funds can be released. The amount of the grant cannot exceed the estimated cost in the project application. If the appraised value of the property is higher than the estimated cost in the project proposal, the applicant must make up the difference. If the appraised value is lower than the estimated cost, NOAA will reduce the federal share of the project as appropriate.

AOC Land Acquisition Grant funds may not be used for:

- Funding long-term operations, maintenance, and management of the land (above those costs allowed for initial land stewardship);
- Construction of buildings, boat launching facilities, docks or piers, shoreline armoring, or other facilities;
- Research;

- Outreach and education;
- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community);
- Acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals;
- Enforcing fish, wildlife, or other regulations, either solely or primarily, except when necessary for the accomplishment of approved project purposes;
- Acquisition of land for active recreation, such as sports facilities, water parks, playgrounds, or similar uses; or
- Reimbursement of expenses that have been incurred prior to the start of a grant award, with the following exceptions: If an applicant incurs costs before the effective date of the grant, they do so at their own risk. Applicants may receive reimbursement for certain costs incurred within 90 days prior to the grant's official start date if they are requested in the application and the applicant can demonstrate it is necessary to incur the costs prior to the official award start date. Pre-award costs eligible for consideration include such costs as needed for conducting: appraisals, title work, and environmental assessments. The cost of land acquisition may also be reimbursed as a pre-award cost if the acquisition occurred within 90 days prior to the grant's official start date.

Please note that the total project budget may not include more than the equivalent of five percent of the federal share in expenses that are not directly related to acquisition. (This does not include appraisals, surveys, title opinions, and other direct transaction costs.)

2. Other Cost Provisions

In general, properties acquired with funds through this competition should be open to the public, as appropriate. User fees should not be charged to access lands acquired through this program. However, if state or local law requires that user fees be charged (such as entrance fees that would be required for access to any state park), or if additional revenue is needed specifically for the purposes of managing user access of the property, the fees should comply with applicable standards for such user fees. In such cases, all income or other revenues derived from the fees shall be used for the maintenance or management of the property.

Leasing or renting of the property or interest in property is generally prohibited unless specifically authorized by NOAA (e.g., if the property or easement to be acquired is subject to an existing lease that is consistent with the objectives of the AOC Land Acquisition project). If approved, all income or other revenues derived from an approved lease or rent arrangement shall be used to maintain or manage property.

3. Allowable Uses of Lands Acquired with AOC Land Acquisition Funds or Used as Match

The following activities are considered consistent with conservation purposes under this funding competition:

- Resource protection;
 - Restoration and enhancement, such as vegetative erosion control or restoration of natural water flow to the area;
 - Low-impact recreational activities, such as hiking, hunting and fishing;
 - Access for swimming, canoeing, kayaking or other non-motorized vessels; and
 - Research and educational activities
- Construction of facilities on a minor scale, such as restrooms or boardwalks, to facilitate uses listed above and/or for the purpose of minimizing harm to coastal resources due to public access and recreation, may be allowed depending on the proposed use of the property and the site environment.

The following activities are considered to be inconsistent:

- Active agriculture, including timber or aquaculture production (note: timbering on a limited scale may be allowed for conservation-oriented purposes such as habitat restoration, for example, to restore a forest that has been managed for timber production to a more native forest type or to create suitable habitat for rare, threatened or endangered species);
- Shoreline armoring or other hard erosion control structures in non-urbanized environments; and

- Construction or expansion of roads, buildings or facilities, including active recreation facilities such as sports facilities, water parks, or playgrounds, except as noted under 'eligible uses.'

Pre-existing uses, including term leases or life estates, must be identified as part of the project application. If a project proposes to continue any pre-existing activities as a long-term use of the site, NOAA will review such uses for potential impacts and to determine whether they are consistent with the purposes of this funding opportunity.. For properties that contain existing structures or incompatible uses (such as commercial agriculture or forestry), applicants may wish to consider acquiring a conservation easement over a portion of the property, rather than acquiring the property in fee (or some other means that would exclude non-conforming uses from the federally-funded portion of the site). If a project is approved with pre-existing uses, such uses may not be expanded or converted to other uses without prior approval of NOAA.

Terms and conditions specified in deeds and conservation easements must be consistent with the purposes of this funding opportunity. NOAA will review deeds and conservation easements to ensure that provisions are consistent with allowable uses under the program. These provisions apply to properties acquired with AOC Land Acquisition funds, as well as to properties contributed as in-kind match.

4. Title and Ownership

Title to the land or interests in land (conservation easement) acquired with AOC Land Acquisition grant funds must be held in perpetuity by the grant recipient or subgrant recipient, or if the grant recipient is not authorized to hold and manage lands for conservation purposes, by another appropriate public agency designated by the recipient (i.e., an agency with a mission consistent with long-term conservation and that will manage AOC Land Acquisition funded and match properties consistently with the goals of this funding competition). Title and ownership of land or interests in land (conservation easement) used as match must also be held in perpetuity by the same public agency. Eligible recipients and sub-recipients are described in section III.A. above.

As a condition of the grant award, NOAA will require that language be recorded for each deed or easement advising that the property has been acquired with Federal funds from NOAA or used as match for same, and assurances that the property will be held for conservation in perpetuity.

If the property or interest in property acquired with AOC Land Acquisition Grant funds is

sold, exchanged, divested, or converted to other uses that are inconsistent with the purposes for which it was acquired, the recipient must return funds to NOAA. The same is true for match properties. If a property used as match for these funds, or interest in property used as match, is sold, exchanged, divested, or converted to other uses that are inconsistent with this funding competition, the recipient must observe the disposition requirements set out at 15 CFR 24.31. The grant recipient is legally and financially accountable for the funds received and ensuring that lands (both federally funded properties and properties used as in-kind match) remain protected consistently with the terms of the grant, regardless of ownership. If a sub-award is made, the primary grantee is still responsible for ensuring the grant terms.

IV. Application and Submission Information

A. Address to Request Application Package

Complete application packages, including required federal forms and instructions, and Supplemental Guidance for Prospective Applicants can be found on www.grants.gov. If a prospective applicant is having difficulty downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@grants.gov.

If the application forms and instructions cannot be downloaded from www.grants.gov, please contact Elizabeth Mountz (Elizabeth.Mountz@noaa.gov) at 301-713-3155 ext. 148.

B. Content and Form of Application

Each proposal must include the following five Required Elements. In addition, the following six Supplemental Elements may be submitted if they are available, but are not required with the proposal. For projects that are selected for funding, Supplemental Elements will be required before grant funds can be released. For more detailed descriptions, examples, and templates of Required and Supplemental Elements, see Appendices B-D of this funding notice.

Applicants will also need to submit the required federal application forms:

- o Application for Federal Assistance: SF-424 (7/03 version or newer)
- o Budget Information for Non-construction Programs: SF-424A
- o Assurances for Non-construction Programs: SF-424B
- o Certification Regarding Lobbying: CD-511
- o Disclosure of Lobbying Activities: SF-LLL (if applicable);

REQUIRED ELEMENTS (for each project proposal)

(1) Project Description/Scope of Work. The following information should be provided for the project site and any parcel that is to be used as match. The Project Description/Scope of Work should include information on the project site's size, location and relationship within the AOC, location and relationship to Great Lakes features, environmental significance, and the legal rights to be acquired. The Project Description should specify how the proposed project will contribute to the removal of either project-based delisting targets or numeric delisting targets for fish and wildlife habitat related beneficial use impairments (degradation of fish and wildlife populations, loss of fish and wildlife habitat, and degradation of benthos). Projects should also include a description of the quantifiable targets that have been set to address the beneficial use impairments.

The project description should also describe pre-existing uses of the property and the nature of those uses (including existing structures, leases, etc.); and activities or uses planned for the project site after acquisition and how those activities/uses are consistent with the long-term protection or restoration of the site's ecological values. The description should describe the historic condition of the proposed acquisition site and, if applicable, the processes which resulted in degradation of the area and how these processes have been abated to allow for successful restoration. It should list the species currently found in the project site, identify the problems the project will address, and describe how the project fits into existing restoration plans for the AOC. The project description should also describe a strategy for long-term stewardship of the property to be acquired, including information on continuing support for maintenance and enforcement against illegal uses and, if restoration is proposed, when and how that will be accomplished. Project descriptions should also specify a proposed award period for the grant (not to exceed 18 months) and include a project timeline with discrete benchmarks for completing the project within the requested award period. Finally, the Project Description/Scope of Work should also include photographs of the project site (approximately 2-10) that document the values to be acquired. It is strongly recommended that applicants use the Project Description/Scope of Work template, located in Appendix A.

(2) Project Budget and Justification of Proposed Costs. The budget narrative should be composed of two parts, a budget table and a budget description (see template in Appendix B). The project budget should include a breakdown of project costs and justification, including the source of proposed matching funds. The budget narrative should provide the information needed to determine how the numbers outlined in the Budget Information form (SF-424A) were derived and the budget narrative submitted with the application should match the dollar amounts on all required Federal forms (SF-424, SF-424A. If the overall cost of the project

exceeds the amount of requested federal funds plus matching share, please provide a breakout of costs for the entire project (e.g., including other sources of funding that will be used to complete the project). Land acquisition costs should be based on appraised value or other estimate of fair market value. The project budget should also specify whether this project has been submitted for other sources of Federal funding, and if so, which Federal program(s) and year(s). Additional cost detail may be required prior to a final analysis of overall cost allowability, allocability, and reasonableness. Please note the following:

- The budget may include an amount for indirect costs only if the applicant has an established indirect cost rate with the Federal government. If the applicant has an established indirect cost rate, a copy of the negotiated rate must be included with the application.

- Funds for salaries and fringe benefits may be requested only for those personnel who are directly involved in implementing the proposed project and whose salaries and fringe benefits are directly related to specific products or outcomes of the proposed project. NOAA strongly encourages applicants to request reasonable amounts of funding for salaries and fringe benefits to ensure that your proposal is competitive.

It is strongly recommended that applicants use the Project Budget template, located in Appendix B.

(3) Project Checklist. The Project Checklist enables NOAA to determine if a project may have any adverse impacts and whether additional information may be required to satisfy the requirements of applicable Federal laws, regulations or policies. The project checklist must be signed by a representative of the eligible public entity that will receive funds to execute the project. Submitting an unsigned project checklist that does not identify the certifying official may result in the project not being found to be ready and eligible. The Project Application Checklist can be found in the Funding Opportunities section of the CELCP website at http://coastalmanagement.noaa.gov/land/celcp_fundingop.html and in Appendix C of this announcement. Please note that the AOC Land Acquisition Grant Program will be requiring the use of the project checklist developed for the Coastal and Estuarine Land Conservation Fund.

(4) Project Location and Site Maps. A minimum of two maps should be submitted: (1) a regional map showing the general location of the project, and (2) a map or aerial photo of the project site that shows the location and extent of the proposed acquisition, its relationship to the AOC boundary and associated watershed, and adjacent land uses.

(5) RAP endorsement: Each project application should include a letter of endorsement from the RAP implementation group (defined as the state agency responsible for implementing the AOC program or the local public stakeholder group working with the state agency on implementing the RAP).

SUPPLEMENTAL ELEMENTS

The supplemental elements are not required with this proposal, but if the project is selected and funded, these elements and other forms would be required before grant funds can be released. Submitting one or more of these items with the project proposal may help substantiate the project's 'readiness.'

(1) Documentation of Willingness or Intent to Sell. The applicant should submit a letter from the seller affirming that s/he is a willing participant in negotiations to sell the property at a mutually agreeable price.

(2) Evidence of Agreement. The applicant should submit documentation verifying the terms of the purchase, such as a contract, purchase & sale agreement, or option.

(3) Appraisal. The applicant should submit a complete and self-contained appraisal establishing the fair market value of the property. The appraisal must be developed in accordance with the Uniform Standards of Professional Appraisal Practice (http://www.appraisalfoundation.org/s_appraisal/sec.asp?CID=3&DID=3) and the Uniform Appraisal Standards for Federal Land Acquisition ('Yellow Book') (<http://www.usdoj.gov/enrd/land-ack/>).

(4) Survey. The applicant should submit a survey of the property to be acquired.

(5) Evidence of Title. The applicant should submit documentation that shows that the seller is the legal owner of the property and identifies any easements or other encumbrances on the property to be acquired. Examples of such documentation include an attorney title opinion or property report from a title insurance company.

(6) Phase I Environmental Assessment. The applicant should submit a phase I environmental assessment report as well as any additional environmental assessments or environmental impact statements that have been done for the property.

C. Submission Dates and Times

The deadline for receipt of proposals through Grants.gov or delivery to the OCRM office is 6:00 p.m. EST, February 7, 2011. Applications may be submitted electronically at <http://www.grants.gov> or by mail to the address listed in this announcement.

D. Intergovernmental Review

Applications submitted by state and local governments are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 19 on SF-424 regarding

clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOCs are listed in the Office of Management and Budget's home page at: <http://www.whitehouse.gov/omb/grants/spoc.html> .

E. Funding Restrictions

Awards will contain special award conditions that recipients must meet as a term of accepting the grant, such as the requirement to include language in the property deed or conservation easement restricting the use and disposition of the property, as well as to install a permanent sign at the site acknowledging NOAA's funding. Other special award conditions may be included if not already met by the time a final grant application is submitted. A sample list of the conditions can be found at:

<http://coastalmanagement.noaa.gov/land/media/celcpattachment3.pdf>

F. Other Submission Requirements

Grants.gov will be able to download a copy of the application package, complete it off line, and then upload and submit the application via the Grants.gov site. If an applicant has problems downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@grants.gov .

Do not wait until the application deadline to begin the application process through Grants.gov. To use Grants.gov, applicants must have a DUNS number and register in the Central Contractor Registry (CCR). Applicants should allow a minimum of 5 days to complete the CCR registration; registration is required only once. After electronic submission of the application, applicants will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. Applications submitted through Grants.gov will be accompanied by three automated receipts of the date and time of submission (the first confirms receipt; the next two confirm that there are no errors with an application submission and that the application has been forwarded to NOAA for further processing). If all notifications are not received, an applicant needs to follow up with both the Grants.gov helpdesk and the NOAA OCRM to confirm receipt of submission. PLEASE NOTE: It may take Grants.gov up to two (2) business days to validate or reject the application. Please keep this in mind in developing your submission timeline. Applicants should allow themselves sufficient time to submit their application to Grants.gov in advance of the deadline to ensure applications have been submitted successfully, as the deadline for submission cannot be extended. NOAA may request that you provide original signatures on forms at a later date.

V. Application Review Information

A. Evaluation Criteria

Reviewers will assign scores to applications ranging from 0 to 100 points based on the following five standard NOAA evaluation criteria and respective weights specified below. Applications that best address these criteria will be most competitive.

1. Importance and Applicability (45 points)

This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state or local activities. For the NOAA Great Lakes AOC Land Acquisition Project Grants competition, applications will be evaluated based on the following:

a.) The measurable gain towards achieving delisting of fish and wildlife habitat-related beneficial use impairments (including loss of fish and wildlife populations, degradation of fish and wildlife habitat, and degradation of benthos) in Areas of Concern (<http://www.epa.gov/glnpo/aoc/>). (10 points value)

b.) The extent to which the project is an AOC priority based on specific restoration planning goals, publicly vetted plans, or other priority setting planning documents (e.g. State II RAP documents) with appropriate ecological performance metrics and measures. (8 points)

c.) The potential of the project to restore, protect, conserve or enhance coastal habitat resulting in direct ecological benefits or otherwise maximizing benefits for coastal resources. (10 points)

d.) The significance of the project in its area of impact or amount of restored habitat in context with the local environment and the target AOC, i.e. small projects in urban areas could score the same or more points than larger projects in more intact areas. (9 points)

e.) The extent to which the project is provide benefits to the local community such as improved opportunities for recreation, park use, open space, or other tangible community benefits. (8 points)

2. Technical/Scientific Merit (25 points)

This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. For this competition, this means projects will be evaluated based on the following:

a.) Manageability will be evaluated in terms of the degree to which a project can be effectively managed over the long-term to conserve or restore ecological, conservation, recreation, aesthetic, and/or historical/cultural values. (8 points).

For evaluation of manageability, applicants should describe:

- The current use(s) and condition of the site;
- The current and proposed uses of the area surrounding the site (e.g., development plans or uses allowed by zoning);
- The degree of infestation by non-native species for each habitat on the project site;
- Whether any restoration is needed and planned, as well as whether funding has been secured for that purpose; and
- Any environmental remediation that has taken place and/or is needed on the project site.

b.) Long-term use will be evaluated in terms of the degree to which a project is compatible with proposed land uses and surrounding land uses. (7 points)

For evaluation of long-term uses, applicants should describe:

- The uses that are proposed for the project site (including any existing uses that will be continued);
- How the uses proposed for the project site are compatible with the primary purpose of the project; and
- How the ecological, conservation, recreation, historic, and aesthetic values present on the project site will be maintained or improved.

(c) Project readiness will be evaluated by the likelihood that a project can be completed during the performance period, including factors such as: whether sites have been identified, the property is on the market, and/or negotiations with landowner have resulted in a purchase & sale agreement; whether appraisal, title opinion, and other documentation have been completed or can be produced within the performance period; and whether the site has any uncertainties (such as liens or judgments) that are not likely to be resolved within the proposed award performance period. Proposed projects with multiple parcels will be evaluated for project readiness and feasibility for completion within the required 18 month timeframe. Please note: NOAA recommends that each project propose to acquire no more than 5 separate parcels, including parcels that would be acquired with CELCP funds as well as those that would be counted an in-kind match. Properties containing multiple parcels

covered under a single appraisal, title report and survey plat could count as one parcel. (10 points)

For evaluation of project readiness, applicants should describe:

- Whether parcels or project sites (both target and/or in-kind match properties) have been identified;
- The stage of discussion with landowners, such as whether preliminary contacts have been made or whether negotiations have resulted (or are likely to result) in a purchase and sale agreement;
- Whether supporting documentation has been completed;
- Whether the property is subject to litigation, liens, judgments or other situations that may affect the likelihood that a project could be completed within the award period; and
- Whether the site has had or currently has contamination or other environmental hazards that must be resolved before it would be suitable for public use.

3. Overall Qualifications of Applicants (10 points)

This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the proposed work. For the NOAA AOC Land Acquisition Grants competition, applications will be evaluated based on the following:

a.) Ability to acquire land (5 pts) For evaluation of ability to acquire land, applicants should describe:

- The organization's legal authority, personnel, and expertise for acquiring lands for long-term conservation, either directly or through partnerships with another organization; and
- The organization's previous success in acquiring lands, or interests in lands, for long-term conservation purposes.

b.) Ability to manage land (5 pts) For evaluation of ability to manage land, applicants should describe:

- The organization's capacity, in terms of funding, personnel, and expertise to manage the property or whether the property will be managed through a partnership or stewardship agreement with another organization; and

- The organization's success in managing other properties for conservation purposes.

4. Project Costs (20 points)

This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time-frame. For the AOC land Acquisition Project Grants competition, the budget will be evaluated to determine if it is realistic and commensurate with the project needs and timeframe. For this competition, projects will be reviewed and ranked according to: whether land acquisition costs are reasonable and based on an independent appraisal or other assessment of fair market value; whether non-federal match is provided, and if so, if the source of non-federal matching funds is consistent with the funding announcement, is likely to be available within the performance period, and demonstrates successful leveraging of funds among participating entities; and whether direct and indirect costs for implementation of the project, if requested, are reasonable and consistent with the principles of this funding announcement. Because they comprise the majority of project costs, land acquisition costs and matching funds will be given greater weight than other project costs for this evaluation.

For evaluation of project costs, applicants should describe:

- How land acquisition costs were estimated, e.g., independent appraisal or another assessment of fair market value;
- Any other direct acquisition-related costs, such as appraisal or title opinion, including whether such costs have already been expended;
- The source of matching funds and whether they are in the form of cash, in-kind, or donated land or land value (ie. Bargain sale from properties that enhance the proposed AOC Land Acquisition project;
- Whether matching funds are currently available or expected to be available within the performance period; and
- Any other administrative costs to be charged to the grant or in-kind services to be used as match in order to document that they are reasonable and commensurate with the project needs.

For any property(s) that will be used for match, please also describe: the values that the property contributes; how the property(s) relates, in purpose and physical features, to the property that is proposed for acquisition with the federal share; when the match property will be acquired; what legal rights will be acquired (whether fee or easement); who holds title to the legal rights; and the basis for the purchase price or donation value (e.g., independent

appraisal or another assessment of fair market value).

For large parcels or projects for which the requested AOC Land Acquisition Grant funding is only a portion, please explain: what portion of the property the AOC funding would acquire; and whether the project would be viable if funding from other sources did not become available within the grant performance period.

Please also describe any additional sources of match that may be used as a contingency in the event that matching funds are not secured from the proposed source.

5. Outreach and Education (0 points)

NOAA assesses whether the project provides a focused and effective and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This evaluation factor will not be used for this competition.

B. Review and Selection Process

Once an application has been received, NOAA will conduct an initial administrative review to determine compliance with requirements, completeness of the application, and eligibility of proposed costs and uses of the property. All proposals will be evaluated and scored individually in accordance with the assigned weights of the above evaluation criteria by an independent peer mail review and/or by an independent peer panel review. Both Federal and non-Federal experts may be used in this process.

Reviewers will evaluate the proposals, score them based on the criteria listed above, and submit individual ratings to NOAA. Each proposal will be reviewed by at least three reviewers. The scores will be presented to the program officers and averaged for a final score. No consensus advice will be given by the independent peer mail review or the review panel. The program officers will neither vote nor score proposals as part of the independent peer review process.

The merit reviewers' ratings will be used to produce a rank order of the proposals. Their recommendations and evaluations will be considered by the Federal program officers for NOAA who will recommend to the program's selecting official, Director, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration (or the OCRM director's designee), that a final list be ranked in order unless the proposal is justified to be selected out of rank order based upon the appropriate selection factors, listed below.

C. Selection Factors

The selecting official anticipates recommending applications for funding in rank order unless an application is justified to be selected out of rank order based upon one or more of the following selection factors:

1. Availability of funding;
2. Balance/distribution of funds: a) geographically, b) by type of institutions, c) by type of partners, d) by research areas; e) by project types;
3. Whether this project duplicates other projects funded or considered for funding by NOAA or other federal agencies;
4. Program priorities and policy factors set out in section I.A. and I.B.;
5. An applicant's prior award performance;
6. Partnerships and/or participation of targeted groups; and
7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA Grants Officer.

Hence, awards may not necessarily be made to the highest scored applications. Unsuccessful applicants will be notified that their application was not among those recommended for funding. Unsuccessful applications submitted in hard copy will be kept on file until the selection process has been validated and approved by the Department of Commerce Financial Assistance Law Division and then destroyed.

D. Anticipated Announcement and Award Dates

Successful applicants generally will be identified 90-120 days after the close of this solicitation. The earliest anticipated start date for projects will be July 1, 2011, dependent on the completion of all NOAA/applicant negotiations, NEPA analysis, and documentation supporting cooperative agreement activities.

VI. Award Administration Information

A. Award Notices

Successful applicants may be asked to modify work plans or budgets, and provide supplemental information required by the agency prior to final approval of an award. As with the CELCP program, final project applications for projects selected for funding may be submitted either by a lead agency for a state CZM program (with local entities serving as a subgrantee), or by the local entity proposing to hold title to the target property. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific NOAA cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the NOAA Grants Office, and NOAA staff that will administer these land acquisition grants. Projects should not be initiated in expectation of

federal funding until a notice of award document is received electronically from the NOAA Grants Management Division in Grants Online, NOAA's online grants management system.

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, to the extent applicable, any proposal awarded in response to this announcement will be required to use the Central Contractor Registration and Dun and Bradstreet Universal Numbering System and be subject to reporting requirements, as identified in OMB guidance published at 2 CFR Parts 25, 170 (2010),

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr25_main_02.tpl ,
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl .”

B. Administrative and National Policy Requirements

1. Administrative Requirements.

Successful applicants that accept a NOAA award under this solicitation will be bound by Department of Commerce Standard Terms and Conditions. This document will be provided in the award package in Grants Online, NOAA's online grants management system.

In addition, award documents provided by the NOAA Grants Office in the Grants Online award package may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill, and/or stating other compliance requirements for the award as applicable, such as requirements for submitting progress reports.

2. NEPA Requirements

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals that are seeking Federal funding. Detailed information on NOAA compliance with NEPA can be found at: <http://www.nepa.noaa.gov/>, including NOAA Administrative Order 216-6 for NEPA (http://www.corporateservices.noaa.gov/~ames/NAOs/Chap_216/naos_216_6.html) and the Council on Environmental Quality implementation regulations, http://ceq.hss.doe.gov/nepa/regs/ceq/toc_ceq.htm . As part of an applicant's package, under the description of program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for denial of an application.

C. Reporting

Grant recipients are required to provide semi-annual financial and performance reports. Performance reports are required every six months from the time an award starts until it is closed. Performance reports are to be submitted to the NOAA program officer. The standard performance period is 18 months, but may be extended an additional 18 months if circumstances warrant. Within 30 days of the conclusion of each six-month period, recipients must submit a report summarizing activities conducted in support of the project during the prior six months. Financial reports are to be submitted to the NOAA Grants Officer. NOAA's Grants Management Division will also provide guidance for its semi-annual financial reporting requirements.

Within 90 days of the conclusion of the last reporting period, recipients must submit a final report that contains a summary of the project and activities, proof of the acquisition (recorded deed or conservation easement showing NOAA language), proof that a sign was installed (photo), representative site photos (digital preferred), and a map of the property in the form of a GIS shapefile. NOAA will provide recipients with a template and instructions for submitting the final report and related materials. A grant is not considered complete when the property closing occurs. Each grant recipient will need to demonstrate, through performance and financial reports, that all award conditions have been met before an award can be closed. Recipients must keep reporting until the end of the official award performance period unless they request to terminate the award early for convenience.

Financial and performance reporting, as well as all other grant management activities after a grant is awarded, are conducted electronically through NOAA's grants management system, NOAA Grants On-line, at: <https://grantsonline.rdc.noaa.gov/>. If not already registered, a Grants On-line account will be established for each recipient after a grant has been awarded. Also, each recipient will need to have a U.S. Treasury ASAP account in order to draw funds electronically.

The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY 2011 or

later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards over \$25,000.

VII. Agency Contacts

For further information contact Elizabeth Mountz at 301-563-1148 or by email Elizabeth.Mountz@noaa.gov . or contact Elaine Vaudreuil at 301-713-3155 ext 103 or by email Elaine.Vaudreuil@noaa.gov . Prospective applicants are invited to contact NOAA staff before submitting an application to discuss whether their project ideas are within the scope of the Great Lakes Restoration Initiative's objectives and NOAA's mission and goals.

VIII. Other Information

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of February 11, 2008 (73 FR 7696) are applicable to this solicitation.

In no event will NOAA or the Department of Commerce be responsible for preparation costs if programs fail to receive funding or are canceled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act (5 U.S.C. 553 (a) (2)) or by any other law for this document concerning grants, benefits, and contracts. Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) are not applicable. Therefore, a regulatory flexibility analysis has not been prepared.

This action has been determined to be not significant for purposes of Executive Order 12866 (Regulatory Impact Review).

The use of the standard NOAA grant application package referred to in this notice involves collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and

0605-0001.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.